

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF SOUTH CAROLINA**  
**ANDERSON DIVISION**

Kelly Beverly Phillips and Passion  
 Ellafair Wallace,

Plaintiffs,

v.

Abbeville County Sheriff's Office, Town  
 of Iva, Jeremy Robinson, in his official  
 and individual capacity and Ray Kelly, in  
 his official and individual capacity,

Defendants.

C/A #: 8:23-cv-04309-JDA

**DEFENDANTS' ABBEVILLE COUNTY  
 SHERIFF'S OFFICE, ROBINSON AND  
 KELLYS' RESPONSE TO PLAINTIFFS  
 MOTION TO COMPEL**

Plaintiff served discovery upon these Defendants in January 2024. They have not been answered yet. Defendants' counsel has had health issues personally and in his practice that have put them behind in responding to matters in several cases. The parties have scheduled a status conference in this case to discuss that matter and get this case back on track. That status conference is scheduled for November 4.

In February, 2024, counsel for these Defendants developed serious back issues for the first time. On March 29, counsel for these Defendants had surgery (non-back related) for another issue and missed substantial time from work. On June 21, counsel for these Defendants had back surgery and again missed substantial time from work. The office manager/paralegal became for the firm became ill in late June. She missed the better part of the next six weeks, had two hospitalizations and then had emergency surgery on July 24. She remained in the hospital until July 29. She was

released and told not to return to work for six weeks. Despite that, she returned to work on a part time basis in mid-August.

These setbacks caused issues with our ability to keep up with work timely. We had meetings set up with the clients in this case to gather the remaining information to respond but that was cancelled because of tropical storm Helene. The Defendants are first responders and were in the midst of preparations for Helene when that meeting was scheduled.

We acknowledge that the discovery is late. However, we did have mitigating circumstances beyond our control. We anticipate having the discovery responses completed within two weeks.

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October 24, 2024.